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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,565	03/29/2001	Kazutoyo Maehiro	6514-10	4959

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EXAMINER

LIM, KRISNA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 08/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/820,565

Applicant(s)

MAEHIRO, KAZUTOYO

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

1. Claims 1-34 are presented for examination.
2. The title of the invention is neither descriptive nor precise. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the Prior Art. The title should reflect the gist of or the improvement of the present invention.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-34 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Kume [U.S. Patent No. 6,203,433].

5. Kume anticipates (e.g., see Figs. 1-22) the invention substantially as claimed. Taking claims 12, 17, 19 and 21 as exemplary claims, the reference anticipates an apparatus (e.g., see Fig. 1) for opening an electronic conference (selecting player as play partner in a network game system) by sending a request (client 20 with game request and player request) for an area to be set on a database (11 of Fig. 1, 130 of Fig. 3) to the server (server 10 of Fig. 1, server 100 of Fig. 3), the request being sent in order to hold said electronic conference using this area (online game), the apparatus comprising:

a) an opening request signal transmitter that creates and transmits an opening request signal for setting the area to the server (31 of Fig. 1, Fig. 20);

b) a receiver (12) that receives an opening response signal comprising opening information indicating that the area has been set in the database on the opening request signal (Figs. 1 and 20);

c) an invitation signal source (player selection processing unit 12b and player request response unit 12c) that creates an invitation signal comprising the opening information contained in the opening request signal received by the receiver (Figs. 1 and 20); and

d) an invitation signal transmitter that transmits the invitation signal created by the invitation signal source, to users being invited to hold the electronic conference using said area (player information sent from player request response unit to the player request unit of Fig. 1).

6. As to claims 13 and 15, Kume further anticipates an access request signal source (client 20 of Fig. 1, Fig. 200 of Fig. 3) that creates an access request signal (game request, player request of Figs. 1 and 3) comprising said opening information (parameters  $N_i$ ,  $P_i$ ,  $A_i$ ) contained in said opening response signal received by the said receiver (server 10 of Fig. 1, server 100 of Fig. 3), in order to access said area of said database (11 of Fig. 1, 130 of Fig. 3); and an access request signal transmitter that transmits said access request signal to said server (Figs. 1 and 3).

7. As to claims 14 and 16, Kume further anticipates the opening information comprises an ID (parameter information includes a user identifier  $N$ , a password  $P$ , and an IP address  $A$ , col. 6, lines 51-61) for allowing said server to identify said area of said database and said access request signal source adds ID to aid access request signal (e.g., col. 6, lines 51-61).

8. As to claims 18, 20 and 22, Kume further anticipates a set up information comprises at least one of a name of said electronic conference (user identifier  $N$ ) and a code number (IP address  $A$ ) for accessing the area of the database (e.g., see col. 6, lines 51-61).

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9. Claims 1-11 and 23-34 are similar in scope as of claims 12-22, and therefore claims 1-11 and 23-34 are rejected for the same reasons set forth above for claims 12-22.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Krisna Lim whose telephone number is (703) 305-9672. The examiner can normally be reached on Monday-Friday from 7:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Glenton Burgess, can be reached at (703) 305-4772. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9700

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [glen.burgess@uspto.gov].

All Internet e-mail communication will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirement of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published

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in the Office Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

KI

July 30, 2004



KRISNA LIM  
PRIMARY EXAMINER